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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,430	09/25/2003	Kyung Chul Woo	P24324	4248

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GREENBLUM & BERNSTEIN, P.L.C.
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RESTON, VA 20191

EXAMINER

PATEL, RITA RAMESH

ART UNIT	PAPER NUMBER
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1746

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/01/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/01/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
pto@gbpatent.com

Office Action Summary

Application No.

10/669,430

Applicant(s)

WOO ET AL.

Examiner

Rita R. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,8-10 and 17-19 is/are rejected.
- 7) ☒ Claim(s) 3-7 and 12-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Applicant's Arguments / Amendments

This Office Action is responsive to the amendment filed on 11/24/08. Claim 11 has been canceled and claim 19 has been added. Claims 1-10 and 12-19 are pending. Claims 1-3, 10, and 12 have been amended. Applicant's arguments have been fully considered and are persuasive, thus prior 35 USC 102 and 103 rejections over Reason (PCT Pub. No.: WO00/14322) and No et al. (Publication No.: US 2003/0074932 A1) have been overcome.

However, upon further consideration, claims 1-2, 8-10, and 17-19 are finally rejected under new grounds of rejections. Claims 3-7 and 12-16 are provided with an indication of allowable subject matter herein.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 8-10, 17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Matheny (US Patent No. 3,084,531).

Matheny teaches a laundry machine with a movable vane mechanism as shown in Figures 12 and 13, which includes a stationary vane 70 (outer lift) having a stationary

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spaced apart substantially parallel vane guides 71 which define an opening 72 housing a movable vane 73 (inner lift). A drive mechanism 85 is housed in the base 75 of the stationary vane 70. The drive mechanism 85 includes a pair of extensible scissors 86 having legs 87 pivoted at their center 88 and connected to the extensible vane 73 with pin and slot connections 89 and pivoted at 90 to pairs of housings 91. When the drive unit 93 is activated, it rotates the drive gear 92 moving each pair of housings 91 together and thereby raising the legs 87 and extending the vane 73 from a recessed position to an extended clothes unloading position (not shown, but similar to Figure 11). To lower or recess the vane 73 between the vane guides 71, the drive gear 92 is reversed thus separating the housings 91 and opening the legs 87 thereby lowering the vane 73 to a normal or clothes laundering position (col. 5, lines 16-24 and 30-38). Moreover, the cylindrical wall 37 has perforations 38 (water penetration holes) therein; at least of portion of the open bottom of the stationary vane 70 (outer lift) faces a portion of said perforations.

In Figure 13 of Matheny, legs 87 are shown holding up a supporting member (support rails) thereon which runs lengthwise from end to end and extend axially with respect to the drum's rotation. The extendable vane 73 (inner lift part) rests upon said supporting member while the vane 73 is situated in a lower half of the rotating drum.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matheny as applied to claim 17 above.

Matheny teaches a first and second lift, namely inner and outer lifts 73, 70, however, fails to state teach a third lift. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a duplicity of lifts therein such a washing apparatus to achieve an increased amount of lifting during operation and thereby increased cleaning functions. It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced. *In re Harza*, 124 USPQ 378 (CCPA 1960).

Allowable Subject Matter

Claims 3-7 and 12-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: In claims 3 and 12 applicant's limitations require said inner lift parts includes a plurality of perforations formed throughout its surfaces; Prior art Matheny fails to disclose motivation to incorporate said perforation features on the surface of said inner lift.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Seagar et al. (US Patent No. 6,578,391) teaches a top loading washing machine with a perforated skin 22 and load guiding flaps 18, 19 therein the drum 1, used for guiding laundry therein during washing. Also, Hendren (US Patent No. 4,971,449) teaches a washing machine with a rotating drum 12 therein, for holding ribs 16 for lifting articles during washing. The ribs 16 are patterned with apertures 24 for draining liquid there through. Brenner et al. (US Patent No. 3,938,260) teaches a height adjustable baffle for an automatic clothes dryer of a rotating drum type to compensate for differences in load characteristics and to provide optimum tumbling characteristics

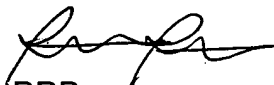
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for different kinds of loads. Lastly, the Kling (US Patent No. 2,508,034) reference teaches an unloading structure for garment cylinders.

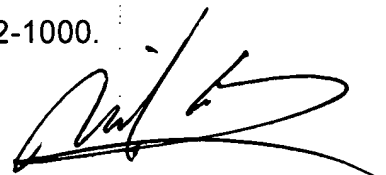
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita R. Patel whose telephone number is (571) 272-8701. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



RRP



MICHAEL BARR
SUPERVISORY PATENT EXAMINER